APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,560	09/12/2003	Takanori Masui	117046	6405

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EXAMINER
PAN, JOSEPH T

ART UNIT	PAPER NUMBER
2135	

MAIL DATE	DELIVERY MODE
10/19/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Advisory Action ***Before the Filing of an Appeal Brief***	10/660,560	MASUI ET AL.
	Examiner	Art Unit	
	Joseph Pan	2135	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>05 October 2007</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

    a) ☒ The period for reply expires <u>3</u> months from the mailing date of the final rejection.

    b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

    Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

    (a)☐ They raise new issues that would require further consideration and/or search (see NOTE below);

    (b)☐ They raise the issue of new matter (see NOTE below);

    (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

    (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

    NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, ~~the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.~~

    The status of the claim(s) is (or will be) as follows:

    Claim(s) allowed: _____.

    Claim(s) objected to: _____.

    Claim(s) rejected: <u>*1-11*</u>.

    Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u>

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____

13. ☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-303 (Rev. 08-06)   Advisory Action Before the Filing of an Appeal Brief   Part of Paper No. 20071012

Continuation of 11. does NOT place the application in condition for allowance because:
Applicant argues:
"This work flow controller cannot reasonably be considered to correspond to a transmitter, or sending step, which sends instruction data to the job processor which executes the process described in the encrypted process description, as varyingly recited in claims 1, 7 and 10, " (see page 2, 3rd paragraph, Applicant Arguments/Remarks)
Examiner maintains:
Foster discloses "The work flow controller 70 maybe used to create the job tickets 61.sub.i that are stored in the job ticket service 60. The work flow controller 70 may review the job requests 32 submitted by the clients 31, and may then use a job ticket template to prepare the job ticket 61. The work flow controller 70 may then send the job ticket 61 to the job ticket service 60 for storage and processing." (see page 5, paragraph [0056] of Foster).
Foster further discloses "The work flow controller 70 (not shown in FIG. 7) can determine which of the processors 80.sub.1-80.sub.N should complete a specific process, and, if necessary, the order in which such processes should be completed. The work flow controller 70 may poll the various processors 80.sub.i to determine which may be used to complete job request. The work flow controller 70 may then notify selected processors 80.sub.1 that a job request has been registered with the job ticket service 60. " (see page 9, paragraph [0103], lines 7-15 of Foster).
Foster further discloses "Although the above description refers to development by the work flow controller 70, other components in the network 20 may be used to develop an overall work flow to complete the job request 32 (see FIG. 7). For example, the job ticket service 60 may be used to develop the overall work flow." (see page 6, paragraph [0066] of Foster)
Therefore, Foster discloses a transmitter, or sending step, which sends instruction data to the job processor which executes the process described in the encrypted process description, as varyingly recited in claims 1, 7 and 10.

Applicant argues:
"Furtehr, the asserted combination of Foster and Sutton is unreasonable" (see page 2, last paragraph, Applicant Arguments/Remarks)
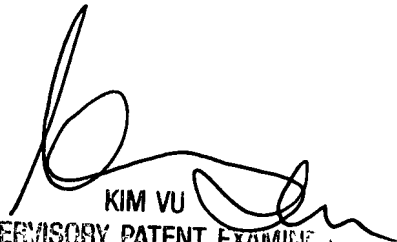Examiner maintains:
Foster discloses "The job ticket 61 may be signed with an industry standard public key encryption message digest (MD) signature, andmay be protected by a public key encryption system. Hence, any user that has the public key may validate job ticket 61 without having to communicate with the authentication server 92." (see page 6, paragraph [0064] of Foster).
Foster discloses encrypting the job ticket [i.e., job description]. However, Foster does not spefiically mention encrypting the job description using the information of each one of job processor.
On the other hand, Sutton discloses " Since rogue computers can also sniff the network, sensitive information is not passed over the network unencrypted, and the encryption is such that only the target nodes of a secured message can decrypt it. When an operation is invoked, it may specify whether the communication needs to be encrypted. This might be at the request of the initiating process, or because the script is marked as requiring encryption in the script database." (see column 8, lines 52-58 of Sutton)
Therefore, the combination of Foster and Sutton discloses encrytping each job process description using the information of each one of job rocessor which executes the process as claimed.

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